

Assembly Bill No. 2132

Passed the Assembly August 29, 2012

Chief Clerk of the Assembly

Passed the Senate August 28, 2012

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2012, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Article 5.4 (commencing with Section 66054) to Chapter 2 of Part 40 of Division 5 of Title 3 of the Education Code, relating to public postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 2132, Lara. Public postsecondary education: tenure policy.

Existing law authorizes the granting of tenure to academic employees in public postsecondary institutions. The existing Donahoe Higher Education Act sets forth the missions and functions of the segments of postsecondary education in this state, including the 3 public postsecondary segments: the California Community Colleges, the California State University, and the University of California. Provisions of the act apply to the University of California only to the extent that the Regents of the University of California, by appropriate resolution, make those provisions applicable. Existing provisions of the act express the intent of the Legislature that the 3 public postsecondary segments adopt and enforce policies and procedures that ensure that teaching is an important factor in the evaluation of faculty for appointment, retention, promotion, and tenure.

This bill would express the intent of the Legislature that the California State University and the University of California develop and adopt tenure policies aimed at encouraging and rewarding service, both to the campus community and to the community outside of the campus, provided by faculty members.

The bill would require the Trustees of the California State University, and request the regents, to take specified actions during the next review of the retention, tenure, and promotion policies at each campus, or before the end of the 2017–18 academic year, whichever occurs first, to recognize and reward service as appropriate for each discipline, as specified; to consider the extent to which specified forms of service may be recognized for purposes of appointment, promotion, retention, and tenure review; and to develop and distribute throughout their respective segments transparent criteria for tenure that include service, if criteria of that type that are academically appropriate for each discipline have not

previously been adopted in that segment. The bill would also require the trustees, and request the regents, to consult with the academic senates of their respective segments and with student and community organizations and to act consistently with applicable collective bargaining agreements in carrying out these responsibilities.

The people of the State of California do enact as follows:

SECTION 1. (a) The Legislature finds and declares all of the following:

(1) In subdivision (a) of Section 66052 of the Education Code, the Legislature has specifically found and declared that “there is a need to encourage policies that enhance the quality of teaching within the segments of higher education.”

(2) In subdivision (b) of Section 66052 of the Education Code, the Legislature has specifically expressed its intent “that the University of California adopt and enforce policies and procedures which ensure that quality teaching is an essential criterion, along with research, in the evaluation of faculty for appointment, retention, promotion, and tenure.”

(3) In subdivision (b) of Section 66052 of the Education Code, the Legislature also specifically expressed its intent “that the California State University and the governing board of each community college district adopt and enforce policies and procedures that ensure that teaching is given primacy in the evaluation of faculty for appointment, retention, promotion, and tenure.”

(4) A common attribute of an outstanding faculty member is the willingness to expend time and energy in teaching, research, and service to the campus community and to the greater community outside of the campus.

(b) Therefore, it is the intent of the Legislature that the California State University and the University of California develop and adopt tenure policies aimed at encouraging and rewarding the service, both to the campus community and to the community outside of the campus, that is valuably and selflessly provided by so many faculty members throughout the segments.

SEC. 2. Article 5.4 (commencing with Section 66054) is added to Chapter 2 of Part 40 of Division 5 of Title 3 of the Education Code, to read:

Article 5.4. Tenure Policy

66054. (a) The Trustees of the California State University shall, and the Regents of the University of California are encouraged to, accomplish the following during the next review of the retention, tenure, and promotion policies at each campus, or before the end of the 2017–18 academic year, whichever occurs first:

(1) (A) Recognize and reward service as appropriate for each discipline. The significant service contributions of a candidate for tenure shall be documented before those service contributions may be used as a basis for a favorable tenure decision.

(B) Consider, as part of the implementation of this subdivision, the extent to which forms of service, including those listed in subparagraph (C), may be recognized for purposes of appointment, promotion, retention, and tenure review.

(C) (i) Serving on community boards and committees.

(ii) Engaging in civic activities.

(iii) Working in outreach programs developed to promote cultural diversity in the student body.

(iv) Consulting with governmental or nonprofit agencies established to address student and community needs.

(v) Developing programs for underserved populations.

(vi) Research and creative activities that benefit communities.

(vii) Consulting with or addressing student and community organizations.

(viii) Any other service activities that are focused on improving the health and well-being of society.

(2) Develop and distribute throughout their respective segments transparent criteria for tenure that include service, if no criteria of that type that are academically appropriate for each discipline have previously been adopted in that segment. Service is a critical factor in the evaluation of a candidate for tenure.

(b) In fulfilling their responsibilities under subdivision (a), the trustees shall, and the regents are encouraged to, do both of the following:

- (1) Consult with the academic senates of their respective segments and with student and community organizations.
- (2) Take actions that are consistent with applicable collective bargaining agreements.

Approved _____, 2012

Governor